

Camille V. Otero, Esq.  
Kevin W. Weber, Esq.  
**GIBBONS P.C.**  
One Gateway Center  
Newark, New Jersey 07102-5310  
Telephone: (973) 596-4509  
Facsimile: (973) 639-8321  
*Attorneys for Defendant  
Congoleum Corporation*

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

DVL, INC. and DVL KEARNY HOLDINGS,  
LLC,

Plaintiffs,

v.

CONGOLEUM CORPORATION AND  
BATH IRON WORKS CORPORATION

Defendants.

Civil Action No. 2:17-cv-04261 (KM) (JBC)

*Document filed electronically*

**NOTICE OF MOTION**

**TO:** Anthony R. Twardowski  
ZARWIN BAUM DeVITO  
KAPLAN SCHAER TODDY, P.C.  
1818 Market Street, 13th Fl.  
Philadelphia, PA 19103  
Telephone: (215) 569-2800  
Fax: (215) 569-1606  
E-mail: artwardowski@zarwin.com

Paul M. Schmidt  
POST & SCHELL, P.C.  
Four Penn Center  
1600 John F. Kennedy Blvd.  
Philadelphia, PA 19103-2808  
Telephone: (215) 587-1000  
Fax: (215) 587-1444  
E-mail: pschmidt@potschell.com

*Attorneys for Plaintiffs DVL, Inc. and  
DVL Kearny Holdings, LLC*

Thomas R. Curtin  
George C. Jones  
GRAHAM CURTIN  
4 Headquarters Plaza, P.O. Box 1991  
Morristown, NJ 07962-1991  
Telephone: (973) 292-1700  
Fax: (973) 292-1767  
E-mail: tcurtin@GrahamCurtin.com  
E-mail: gjones@GrahamCurtin.com

Cynthia J. Robertson  
JENNER & BLOCK LLP  
1099 New York Avenue, NW  
Suite 900  
Washington, D.C. 20001  
Telephone: (202) 639-6000  
Fax: (202) 639-6066  
E-mail: MVanAllen@jenner.com  
E-mail: CRobertson@jenner.com

Catherine Steege  
John VanDeventer  
JENNER & BLOCK LLP  
353 N. Clark St.  
Chicago, IL 60654  
Telephone: (312) 222-9350  
Facsimile: (312) 527-0484  
E-mail: CSteege@jenner.com  
E-mail: JVanDeventer@jenner.com

*Attorneys for Defendant Bath Iron Works Corporation*

**PLEASE TAKE NOTICE** that on **Monday, June 17, 2019**, or as soon thereafter as counsel may be heard, Defendant Congoleum Corporation (“Congoleum”) shall move before the Honorable Kevin McNulty, United States District Judge, at the Frank R. Lautenberg United States Courthouse, 1 Federal Square, Newark, New Jersey 07102 for an order granting Summary Judgment dismissing Plaintiffs ‘Amended Complaint with prejudice.

**PLEASE TAKE FURTHER NOTICE** that, in support of its Motion, Congoleum shall rely on the papers submitted herewith and argument of counsel, if any.

Dated: May 24, 2019

By: s/   
Camille V. Otero, Esq.  
Kevin W. Weber, Esq.  
**GIBBONS P.C.**  
One Gateway Center  
Newark, New Jersey 07102-5310  
Telephone: (973) 596-4509  
Facsimile: (973) 639-8321  
*Attorneys for Defendant  
Congoleum Corporation*